
UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

AnJanette Green, *et al.*,

Plaintiffs,

versus

FedEx Freight, Inc.,

Defendant.

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Civil Action H-10-1076

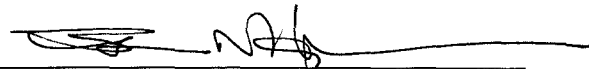
Equitable Cost Adjustment

From the outset, this case had no merit. Had the Greens' counsel carefully questioned her clients before suit, the emptiness of their case would have been apparent; sufficient facts were known at that time. After the suit had been improvidently filed and thoroughly discussed at pre-trial conferences, the plaintiffs' persisted. The court warned the Greens that it would consider holding them accountable for at least some of FedEx Freight's costs if they obliged it to further defend the Greens' vacuous claims.

By bringing an unsupportable case and – most of all – by purposefully continuing to litigate meritless claims, the Greens and their counsel multiplied the proceedings and forced FedEx Freight to incur needless costs. Not only were the logical and legal obstacles obvious, they had been pointed out to the Greens by the court and opposing counsel. The only conclusion is that they pursued their meritless case to vex FedEx. 28 U.S.C. § 1927; 42 U.S.C. § 1988(b).

FedEx Freight, Inc., takes from AnJanette Green, Karl Green, and their counsel, Lu Ann Trevino, jointly and severally \$44,503.00 for the attorney's fees it incurred in defending their claims.

Signed on April 15, 2011, at Houston, Texas.



Lynn N. Hughes
United States District Judge